

1 Jacobson v. Hughes Aircraft, 105 F.3d 1288, 1302 (9th Cir. 1997).

2 While many of the witnesses and documents relevant to this matter are located in New
3 York, many others are also located in California. The remaining factors, however, favor
4 retaining this matter in California. Of great significance here is the relative burdens of the
5 parties, which favor the Plaintiff *Advideo Inc. v. Kimel Broadcast*, 727 F.Supp 1337 (N.D. Cal.
6 1989); *Dwyer v. General Motors Corp.*, 853 F. Supp. 690, 693-94 (SD NY 1994). As an
7 individual with limited means and poor health, the burden on Plaintiff litigating this case in
8 New York outweighs that of Defendant, who, by contrast, is a large multinational corporation
9 with vast resources. *Miracle v. NYP Holdings, Inc.*, 87 F.Supp.2d 1060 (D. HI 2000).
10 Furthermore, Plaintiff's claims arise under California law and California has a legitimate
11 interest in protecting its citizens. *Van Dusen v. Barrack*, 376 U.S. 612, 645 (1964).

12 For the foregoing reasons, Defendant's Motion to Transfer Venue is DENIED.

13 SO ORDERED:

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15 Dated: _____, 2008

16 Sandra B. Armstrong
United States District Judge
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